

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

MANUEL ANTONIO HERRERA HERNANDEZ,

Plaintiff,

v.

Case No. 21-CV-1057

JOHN/JANE DOE, *et al.*,

Defendants.

ORDER

On January 7, 2022, the court screened plaintiff Manuel Antonio Herrera Hernandez's complaint and allowed him to proceed against several John and Jane Doe defendants, on a claim for deliberate indifference to serious medical needs under the Eighth Amendment¹. (ECF No. 16.) The court named Dodge County Sheriff Dale J. Schmidt for the limited purpose of assisting Hernandez in identifying the Doe defendants. Hernandez was instructed to use discovery to identify the name of the Doe defendants, and once he identified them, to file a motion identifying their real names.

On July 22, 2022, Hernandez filed a motion identifying David Churchill, Tammy Clark Jorgensen, and Debra Knisbeck as the Doe defendants who were

¹ Or, if it turns out Hernandez was a pretrial detainee at the time, his claim arises under the Fourteenth Amendment.

allegedly deliberately indifferent to his stomach pain. (ECF No. 25.) The court will grant Hernandez's motion to identify the Doe defendants. The court will also dismiss Sheriff Schmidt from the case.

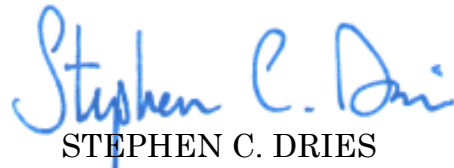
IT IS HEREBY ORDERED that Hernandez's motion to identify the Doe defendants (ECF No. 25) is **GRANTED**. The Clerk of Court is directed to replace the Doe placeholders with the following individuals: David Churchill, Tammy Clark Jorgensen, and Debra Knisbeck.

IT IS FURTHER ORDERED that the U.S. Marshals Service shall serve a copy of the complaint (ECF No. 1), the screening order (ECF No. 16), and this order upon defendants David Churchill, Tammy Clark Jorgensen, and Debra Knisbeck pursuant to Federal Rule of Civil Procedure 4. Hernandez is advised that Congress requires the U.S. Marshals Service to charge for making or attempting such service. 28 U.S.C. § 1921(a). Although Congress requires the court to order service by the U.S. Marshals Service, it has not made any provision for these fees to be waived either by the court or by the U.S. Marshals Service. The current fee for waiver-of-service packages is \$8.00 per item mailed. The full fee schedule is provided at 28 C.F.R. §§ 0.114(a)(2), (a)(3). The U.S. Marshals Service will give Hernandez information on how to remit payment. The court is not involved in collection of the fee.

IT IS ALSO ORDERED that defendants David Churchill, Tammy Clark Jorgensen, and Debra Knisbeck shall file a responsive pleading to the complaint.

IT IS FURTHER ORDERED that Sheriff Dale J. Schmidt is **DISMISSED**.

Dated in Milwaukee, Wisconsin this 27th day of September, 2022.

A handwritten signature in blue ink that reads "Stephen C. Dries". The signature is written in a cursive, flowing style.

STEPHEN C. DRIES

United States Magistrate Judge